

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

In re Terrorist Attacks on September 11, 2001	03 MDL 1570 (GBD) (FM) ECF Case
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This document relates to:

Ashton, et al. v. al Qaeda Islamic Army, et al., Case No. 02-CV-6977;
Federal Ins. Co., et al. v. Al Qaida, et al., Case No. 03-CV-6978;
Estate of O'Neill, et al. v. Republic of Iraq, et al., Case No. 04-CV-1076; and
Havlish, et al. v. bin Laden, et al., Case No. 03-CV-09848

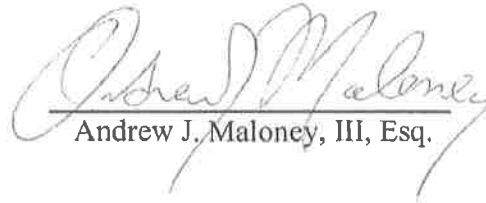
AFFIRMATION OF ANDREW J. MALONEY III, ESQ.

I, Andrew J. Maloney III, affirm under penalty of perjury that the following statements are true and correct, pursuant to 28 U.S.C. § 1746:

1. I am a partner at the law firm of Kreindler & Kreindler LLP, attorneys for the *Ashton* Plaintiffs in the above-captioned litigation. As such, I am familiar with and have personal knowledge of the facts herein.
2. I make this Affirmation in support of Plaintiffs' Opposition to the *Havlish* Motion for an Order Creating a Common Benefit Fund to Compensate *Havlish* Attorneys Regarding Default Judgments Against the Islamic Republic of Iran ("Plaintiffs' Opposition").
3. Based on prior investigations by the *Ashton* Plaintiffs, the *Ashton* Plaintiffs possessed all of the evidence of the relationship between Iran and al Qaeda that is set forth in Plaintiffs' Opposition, prior to the date the *Havlish* Plaintiffs moved for default judgment against Iran. This evidence became publically available as of the dates set forth in Plaintiffs' Opposition.
4. The evidence set forth in Plaintiffs' Opposition is based on a cursory review of the *Ashton* Plaintiffs' files and includes only non-privileged information. The *Ashton* Plaintiffs

possess, and possessed at the time the *Havlish* Plaintiffs moved for default judgment, significant additional evidence of Iran's liability.

Executed: May 5, 2016
New York, NY



Andrew J. Maloney, III, Esq.